

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Minutes
March 15, 2007
1:30 p.m.**

ADDENDUM

1. ADMINISTRATIVE CITATIONS

CRYSTAL ANN HAMMOCK

On February 9, 2007, Crystal Ann Hammock sold an alcoholic beverage to an under-aged confidential informant at Bluegrass Beverages, in Hendersonville, Tennessee. TABC SA Debra Warren witnessed the transaction. Identification was checked. To date, the Respondent has not paid the citation.

Discussion/Action Taken:

SA Debra Warren was present at the meeting. Director Elks conducted a compliance check on February 9, 2007 at Bluegrass Beverages in Hendersonville, Tennessee. Director Elks stated that Crystal Hammock sold an alcoholic beverage to the 18 year old informant. SA Warren witnessed the transaction. Director Elks stated that she has not paid the citation. Ms. Crystal Hammock checked the ID and sold the alcoholic beverage to the informant.

Commissioner Mathews asked what type of notice the defendant received to be present before the Commission. Director Elks stated that when an administrative citation is issued, it states on the citation the date of the hearing and sets forth that failure to appear, answer or to satisfy the citation will be the same as a conviction and will result in the denial, suspension or revocation of the server or employee permit. Director Elks stated that the Commission can either suspend the permit, revoke the permit or a fine can be assessed or a combination of both.

SA Debra Warren stated that when an administrative citation is issued, the Special Agent also explains the process to the defendant and informs the defendant that the instructions are on the back of the citation. The agent advises them to pay the citation two (2) weeks prior to the hearing date if that is what the defendant wants to do.

In response to Commissioner Mathews' concerns that a respondent does not receive adequate notice, Director Elks stated that when the administrative citation is issued to the server, a notice of hearing letter will accompany the administrative citation. Director Elks stated that when the agent issues the administrative citation, the agent will fill in the name at that time and forward the respondent a copy of the letter concurrent with the issuance of the citation—thus, notifying them of their rights, along with the date and time of the meeting.

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Director Elks stated that compliance checks and administrative citations have had an apparent affect on the successful buy rates of minor stings. She stated that on January 26, 2007 the agents had 23 compliance checks and only 4 establishments sold in the Nashville District or 17%. Director Elks stated that the compliance rate a few months ago was 80% selling to minors. Director Elks stated that on March 9, the agents went to 18 establishments and only 3 sold to minors.

Chairman Jones made a motion to uphold the administrative citation. Commissioner Bond seconded the motion. The motion passed with 2 ayes.

Commissioner Mathews stated that he was going to withhold voting until it is determined that Crystal Ann Hammock had proper notice.

There being no further business the meeting was adjourned.

Shari Danielle Elks
Executive Director

John A. Jones
Chairman